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EXAMINER

CRANFORD, MICHAEL D

ART UNIT

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3696

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/709,184	Applicant(s) GAGNON ET AL.	
	Examiner MICHAEL D. CRANFORD	Art Unit 3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 08/27/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-7,10-14,16 and 18-39 is/are pending in the application.
- 4a) Of the above claim(s) 2,3,8,9,15 and 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-7, 10-14, 16, 18-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/20/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the amendment filed on 27 August 2008.
2. Claims 1, 4-7, 11, 12, 14, 20, 28, 30, 34 and 38 have been amended.
3. Claim 39 has been added.
4. Claims 2, 3, 8, 9, 15 and 17 have been canceled.
5. Claims 1, 4-7, 10-14, 16 and 18-39 are currently pending and have been examined.
6. The rejections of claims 1, 4-7, 10-14, 16 and 18-39 have been updated to reflect the amendments.

Response to Arguments

Applicant's arguments received on 27 August 2008 have been fully considered but they are not persuasive. Referring to the previous Office action, Examiner has cited relevant portions of the references as a means to illustrate the systems as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the first Office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims, except as noted above in the section labeled "Status of Claims." This information is intended to assist in illuminating the teachings of the references while providing evidence that establishes further support for the rejections of the claims.

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection. However, in an effort to elucidate the applicability of the selected prior art, the Examiner has provided a riposte to the Applicant's arguments.

Examiner argues that Anderson does disclose a system where loan status is checked and or reviewed. Anderson also teaches the identifying of at least one status indicator for a creditor and further discloses

generating a series of inquiries with reference to the creditor. Lastly, Anderson discloses a key risk review being determined necessary if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt. For the reasons stated above, Examiner respectfully maintains rejections.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
9. Claims 1, 12, 20, 28, 34 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wherry et al. (US PGP 2002/0038273 A1) in view of Anderson et al. (US 5,774,883).

Claim 1:

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *reviewing a status of at least one creditor at predetermined time intervals (see at least column 29 lines 7-8...the negotiations can be resumed at a later time if the current status of the deal is saved)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with reviewing a status of at least one creditor at a predetermined time intervals because this process ensures proper and/or accurate information as it relates to creditors account.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *each of the at least one creditor having an outstanding loan from an entity (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with each of the at least one creditor having an outstanding loan from an entity because provides information regarding actual applicants who have loans.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *identifying at least one status indicator for a creditor* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and identifying at least one status indicator for a creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *selecting the creditor to review* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with selecting the creditor to review because this ensures that certain rules and regulations are followed with regards to loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *generating a series of inquiries with reference to the creditor* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is

profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. generating a series of inquiries with reference to the creditor because this ensures that certain rules and regulations are followed with regards to loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *series of inquires comprises a series of questions designed to elicit information related to at least one of the creditor and a status indicator* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. in a series of inquires comprises a series of questions designed to elicit information related to at least one of the creditor and a status indicator because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *presenting the inquires to a user associated with the entity* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. presenting the inquiries to a user associated with the entity because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *determining a quantity of triggers flagged for the selected creditor based on the responses to the inquiries with reference to the creditor* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining a quantity of triggers flagged for the selected creditor based on the responses to the inquiries with reference to the creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *determining if a key risk review is necessary for the creditor in response to the quantity of flagged triggers being greater than a predetermined number* (see at least column 14 lines 54-57....during the operation of module, the F&I manager reviews the deal received from the desk manager to determine if it is acceptable according to the F&I department's standards)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining if a key risk review is necessary for the creditor in response to the quantity of flagged triggers being greater than a predetermined number because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *key risk review is determined to be necessary if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt* (see at least column 27 lines 8-11....the system makes an adjustment to the rate level, if necessary, based on bankruptcy or repossession factors of the buyer, if the current rate level is either of Loan Program A, B or C)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review is determined to be necessary if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt because this provides an overall view of what the risk will be in the event of a bankruptcy.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *conducting a key risk review in response determining that a key risk review is necessary* (see at least column 14 lines 54-57....during the operation of module, the F&I manager reviews the deal received from the desk manager to determine if it is acceptable according to the F&I department's standards)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. conducting a key risk review in response determining that a key risk review is necessary because this provides necessary information for loan approval. Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *key risk review comprises reviewing actions to reduce exposure or loss* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no

question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review comprises reviewing actions to reduce exposure or loss because this provides necessary information for loan approval.

Claim 12:

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *electronically reviewing a status of a creditor* (see at least column 29 lines 7-8...the negotiations can be resumed at a later time if the current status of the deal is saved)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with reviewing a status of at least one creditor at a predetermined time intervals because this process ensures proper and/or accurate information as it relates to creditors account.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *creditor has an outstanding loan from an entity* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with each of the at least one creditor having an outstanding loan from an entity because provides information regarding actual applicants who have loans.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *electronically determining at least one status indicator is associated with the creditor* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and identifying at least one status indicator for a creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *electronically generating a series of inquiries* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. in a series of inquiries comprises a series of questions designed to elicit information related to at least one of the creditor and a status indicator because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *electronically receiving a response from the series of inquiries with reference to the selected creditor* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining a quantity of triggers flagged for the selected creditor based on the responses to the inquiries with reference to the creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *electronically determining a quantity of triggers flagged based on responses to the series of inquiries for the a selected creditor (see at least column 14 lines 54-57....during the operation of module, the F&I manager reviews the deal received from the desk manager to determine if it is acceptable according to the F&I department's standards)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining if a key risk review is necessary for the creditor in response to the quantity of flagged triggers being greater than a predetermined number because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *establishing an action plan in response to the quantity of flagged triggers being greater than a predetermined number (see at least column 14 lines 54-57....during the operation of module, the F&I manager reviews the deal received from the desk manager to determine if it is acceptable according to the F&I department's standards)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining if a key risk review is necessary for the creditor in response to the quantity of flagged triggers being greater than a predetermined number because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *conducting a key risk review in response to the creditor corresponding to a predetermined loss in the event of bankruptcy* (see at least column 27 lines 8-11....the system makes an adjustment to the rate level, if necessary, based on bankruptcy or repossession factors of the buyer, if the current rate level is either of Loan Program A, B or C)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review is determined to be necessary if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt because this provides an overall view of what the risk will be in the event of a bankruptcy.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *performing an exposure review in response to the quantity of flagged triggers being greater than the predetermined number and a key risk review not being performed* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review comprises reviewing actions to reduce exposure or loss because this provides necessary information for loan approval.

Claim 20:

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *central processing unit* (see at least column 9 lines 24-25....the system includes a hard disk drive connected to the processor)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. having a central processing unit because this ensures that information is processed electronically.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *at least one trigger* (see at least column 14 lines 54-57....during the operation of module, the F&I manager reviews the deal received from the desk manager to determine if it is acceptable according to the F&I department's standards)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining if a key risk review is necessary for the creditor in response to the quantity of flagged triggers being greater than a predetermined number because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *credit action trigger program operable on the central processing unit processor* (see at least column 27 lines 8-11....the system makes an adjustment to the rate level, if necessary, based on bankruptcy or repossession factors of the buyer, if the current rate level is either of Loan Program A, B or C)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review is determined to be necessary

if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt because this provides an overall view of what the risk will be in the event of a bankruptcy.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *review a status of a creditor* (see at least column 29 lines 7-8...the negotiations can be resumed at a later time if the current status of the deal is saved)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with reviewing a status of at least one creditor at a predetermined time intervals because this process ensures proper and/or accurate information as it relates to creditors account.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *creditor has an outstanding loan from an entity* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with each of the at least one creditor having an outstanding loan from an entity because provides information regarding actual applicants who have loans.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *determine at least one status indicator is associated with the creditor* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and identifying at least one status indicator for a creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *generate a series of inquiries* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. in a series of inquiries comprises a series of questions designed to elicit information related to at least one of the creditor and a status indicator because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *receive a response from the series of inquiries with reference to the selected creditor* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining a quantity of triggers flagged for the selected creditor based on the responses to the inquiries with reference to the creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *determine a quantity of the at least one trigger being flagged based on responses to the series of inquiries for the a selected creditor (see at least column 14 lines 54-57....during the operation of module, the F&I manager reviews the deal received from the desk manager to determine if it is acceptable according to the F&I department's standards)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining if a key risk review is necessary for the creditor in response to the quantity of flagged triggers being greater than a predetermined number because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *conduct a key risk review in response to the creditor corresponding to a predetermined loss in the event of bankruptcy (see at least column 27 lines 8-11....the system makes an adjustment to the rate level, if necessary, based on bankruptcy or repossession factors of the buyer, if the current rate level is either of Loan Program A, B or C)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review is determined to be necessary if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt because this provides an overall view of what the risk will be in the event of a bankruptcy.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *perform an exposure review in response to the quantity of flagged triggers being greater than the predetermined number and a key risk review not being performed (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down*

payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review comprises reviewing actions to reduce exposure or loss because this provides necessary information for loan approval.

Claim 28:

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *providing a central processing unit* (see at least column 9 lines 24-25....the system includes a hard disk drive connected to the processor)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. having a central processing unit because this ensures that information is processed electronically.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *providing at least one trigger* (see at least column 14 lines 54-57....during the operation of module, the F&I manager reviews the deal received from the desk manager to determine if it is acceptable according to the F&I department's standards)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining if a key risk review is necessary for the

creditor in response to the quantity of flagged triggers being greater than a predetermined number because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *providing a credit action trigger program operable on the central processing unit* (see at least column 27 lines 8-11....the system makes an adjustment to the rate level, if necessary, based on bankruptcy or repossession factors of the buyer, if the current rate level is either of Loan Program A, B or C)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review is determined to be necessary if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt because this provides an overall view of what to risk will be in the event of a bankruptcy.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *review a status of a creditor* (see at least column 29 lines 7-8...the negotiations can be resumed at a later time if the current status of the deal is saved)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with reviewing a status of at least one creditor at a predetermined time intervals because this process ensures proper and/or accurate information as it relates to creditors account.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *creditor has an outstanding loan from an entity* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to

instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with each of the at least one creditor having an outstanding loan from an entity because provides information regarding actual applicants who have loans.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *determine at least one status indicator is associated with the creditor (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and identifying at least one status indicator for a creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *generate a series inquiries (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. in a series of inquires comprises a series of questions designed to elicit information related to at least one of the creditor and a status indicator because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *receive a response from the series of inquiries with reference to the selected creditor* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining a quantity of triggers flagged for the selected creditor based on the responses to the inquiries with reference to the creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *determine a quantity of the at least one trigger being flagged based on responses to the series of inquiries for the a selected creditor* (see at least column 14 lines 54-57....during the operation of module, the F&I manager reviews the deal received from the desk manager to determine if it is acceptable according to the F&I department's standards)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining if a key risk review is necessary for the creditor in response to the quantity of flagged triggers being greater than a predetermined number because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *conduct a key risk review in response to the creditor corresponding to a predetermined loss in the event of bankruptcy* (see at least column 27 lines 8-11....the system makes an adjustment to the rate level, if necessary, based on bankruptcy or repossession factors of the buyer, if the current rate level is either of Loan Program A, B or C)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review is determined to be necessary

if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt because this provides an overall view of what to risk will be in the event of a bankruptcy.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *perform an exposure review in response to the quantity of flagged triggers being greater than the predetermined number and a key risk review not being performed* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and the key risk review comprises reviewing actions to reduce exposure or loss because this provides necessary information for loan approval.

Claim 34:

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *reviewing a status of at least one creditor at predetermined time intervals* (see at least column 29 lines 7-8...the negotiations can be resumed at a later time if the current status of the deal is saved)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with reviewing a status of at least one creditor at a

predetermined time intervals because this process ensures proper and/or accurate information as it relates to creditors account.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *creditor having an outstanding loan from an entity* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with each of the at least one creditor having an outstanding loan from an entity because provides information regarding actual applicants who have loans.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *identifying at least one status indicator for a creditor* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. and identifying at least one status indicator for a creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *selecting the creditor to review* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. with selecting the creditor to review because this ensures that certain rules and regulations are followed with regards to loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *generating a series of inquiries with reference to the creditor* (see at least column 6 lines 19-27....during the negotiation process, many variables may be manipulated (e.g., selling price, interest rate, down payment, financed products, trade allowance, loan term, etc.). The Decision Flex system allows the sales management to instantly track profit and finance program guideline adherence on a real-time basis so that when a deal is accepted, there is no question that it is profitable and that the sales contract will be purchased by a finance source, loan purchaser or lender, which grants loan approval)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. generating a series of inquiries with reference to the creditor because this ensures that certain rules and regulations are followed with regards to loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *determining a quantity of triggers flagged based on the responses to the series of inquiries for a selected creditor* (see at least column 12 lines 26-28....this information is about the current status of the customer, such as gross income and current debts)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. determining a quantity of triggers flagged based on the responses to the series of inquiries for a selected creditor because this provides necessary information for loan approval.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Anderson et al. however, as shown, does:

- *establishing an action plan in response to the quantity of flagged triggers being greater than a predetermined number* (see at least column 27 lines 8-11....the system makes an adjustment to the rate level, if necessary, based on bankruptcy or repossession factors of the buyer, if the current rate level is either of Loan Program A, B or C)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Anderson et al. establishing an action plan in response to the quantity of flagged triggers being greater than a predetermined number because this provides an overall view of what the risk will be in the event of a bankruptcy.

- 10.** Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wherry et al. (US PGP 2002/0038273 A1) in view of Whitworth (US PGP 2003/0040941 A1).

Claim 39:

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Whitworth however, as shown, does:

- *determining any change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades (see at least page 8 paragraph 0115....the issuer files for ratings from one or more bond rating agencies, such as Moody's, Standard and Poors, or Fitch. Rating agencies have extensive policies and guidelines relating to the manner in which ratings are determined)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Whitworth determining any change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades because this determines whether businesses or agencies are able to receive financing based on their bond rating.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Whitworth however, as shown, does:

- *determining any change in a Moody's rating for the selected creditor by a predetermined number of grades (see at least page 7 paragraph 0112....if the funds previously set aside are being used "responsibly" in the view of rating agencies, it may help obtain a better rating for the bonds. If the funds are merely being "raided" to show a balanced budget in the current year, the rating agencies may see this as a sign of poor management or future problems balancing the budget and issue a lower rating)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Whitworth determining any change in a Moody's rating for the selected creditor by a predetermined number of grades because this determines whether businesses or agencies are able to receive financing based on their bond rating.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Whitworth however, as shown, does:

- *determining any change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period (see at least page 4 paragraph 0070....other potential sources of tax exempt interest rates include, but are not limited to: market sources, such as Bloomberg; a recent bond issuance by the same entity; a U.S. treasury term structure with a tax exempt spread adjustment)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Whitworth determining any change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period because this determines whether businesses or agencies credit and/or bond rating.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Whitworth however, as shown, does:

- *determining any change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period (see at least page 4 paragraph 0070....other potential sources of tax exempt interest rates include, but are not limited to: market sources, such as Bloomberg; a recent bond issuance by the same entity; a U.S. treasury term structure with a tax exempt spread adjustment)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Whitworth determining any change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period because this determines whether businesses or agencies credit and/or bond rating.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Whitworth however, as shown, does:

- *determining if the creditor has a broken or defective business model (see at least page 7 paragraph 0112....if the funds previously set aside are being used “responsibly” in the view of rating agencies, it may help obtain a better rating for*

the bonds. If the funds are merely being "raided" to show a balanced budget in the current year, the rating agencies may see this as a sign of poor management or future problems balancing the budget and issue a lower rating)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Whitworth determining if the creditor has a broken or defective business model because this determines whether businesses or agencies are able to receive financing based on their bond rating.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Whitworth however, as shown, does:

- *determining if the creditor's industry is experiencing any downturn* (see at least page 7 paragraph 0112....if the funds previously set aside are being used "responsibly" in the view of rating agencies, it may help obtain a better rating for the bonds. If the funds are merely being "raided" to show a balanced budget in the current year, the rating agencies may see this as a sign of poor management or future problems balancing the budget and issue a lower rating)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Whitworth determining if the creditor's industry is experiencing any downturn because this determines whether businesses or agencies are able to receive financing based on their bond rating.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Whitworth however, as shown, does:

- *determining any impact of any recent event on the creditor* (see at least page 7 paragraph 0112....if the funds previously set aside are being used "responsibly" in the view of rating agencies, it may help obtain a better rating for the bonds. If the funds are merely being "raided" to show a balanced budget in the current year, the rating agencies may see this as a sign of poor management or future problems balancing the budget and issue a lower rating)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Whitworth determining any impact of any recent event on the creditor because this determines whether businesses or agencies are able to receive financing based on their bond rating.

Wherry et al. discloses the limitations in the rejections above. Wherry et al. does not disclose the following limitations, but Whitworth however, as shown, does:

- *determining a nature or demeanor of the creditor's management* (see at least page 7 paragraph 0112....if the funds previously set aside are being used "responsibly" in the view of rating agencies, it may help obtain a better rating for the bonds. If the funds are merely being "raided" to show a balanced budget in the current year, the rating agencies may see this as a sign of poor management or future problems balancing the budget and issue a lower rating)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wherry et al. and Whitworth determining a nature or demeanor of the creditor's management because this determines whether businesses or agencies are able to receive financing based on their bond rating.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 4143

12. Claims 1-38 are rejected under 35 U.S.C. 102(b) as being unpatentable over Wherry et al. (US PGP 2002/0038273 A1).

13. Claim 1:

Wherry et al. shown, discloses the following limitations:

- *determining a quantity of triggers flagged for a selected creditor; and establishing an action plan in response to the quantity of flagged triggers being greater than a predetermined number (see at least page 7 paragraph 0067....the reporting process receives from the monitoring process the user established criteria that would trigger an alert. The values are compared and a determination is made if the trigger is exceeded)*

14. Claim 2:

Wherry et al. shown, discloses the following limitations:

- *reviewing a status of each creditor at predetermined time intervals (see at least page 1 paragraph 0004....the performance of each security must be reviewed by the manager as must the performance of the combination of the securities comprising the portfolio)*

15. Claim 3:

Wherry et al. shown, discloses the following limitations:

- *creditor is selected in response to identifying any status indicators for the creditor (see at least page 7 paragraph 0061....an investor manager may wish to be alerted when residual risk, a value associated with non-diversified risk of a portfolio, reaches a particular value. As the market shifts or composition of the portfolio is altered, residual risk may raise beyond a desired value indication to the investment manager that a careful look at the portfolio is warranted)*

16. Claim 4:

Wherry et al. shown, discloses the following limitations:

- *taking no action in response to not identifying any status indicators for the creditor (see at least page 7 paragraph 0067...at the same time the process receives data from the investment tool associated with the selected monitoring category and function. The values are compared and a determination is made if the trigger is exceeded. If the trigger is not exceeded the process returns to the initial step and continues to compare the values as aforementioned)*

17. Claim 5:

Wherry et al. shown, discloses the following limitations:

- *determining the quantity of triggers flagged for the selected creditor is performed in response to identifying at least one status indicator for the selected creditor (see at least page 7 paragraph 0063....again, the user provides specific criteria determining when an alert will be generated and how the alert will be delivered)*

18. Claim 6:

Wherry et al. shown, discloses the following limitations:

- *responding to a series of inquiries with reference to the selected creditor (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)*

19. Claim 7:

Wherry et al. shown, discloses the following limitations:

- *responding to a series of inquiries related to at least one of a predetermined model related to the selected creditor, a market related to the selected creditor, subjective criteria related to the selected creditor, industry conditions, economic conditions, occurrence of an event affecting the selected creditor, and a behavior of the selected creditor (see at least page 5 paragraph 0049....orders are*

processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)

20. Claim 8:

Wherry et al. shown, discloses the following limitations:

- *determining if a key risk review is necessary in response to the quantity of flagged triggers being greater than the pre-determined number (see at least page 7 paragraph 0061....alternatively, the user can launch the investment tool associated with that alert and review the data that resulted in the notification to be posted on the user interface)*

21. Claim 9:

Wherry et al. shown, discloses the following limitations:

- *conducting a key risk review in response to the selected creditor corresponding to a predetermined loss in the event the creditor becomes bankrupt (see at least page 1 paragraph 007....after gaining that information the manager may wish to examine the effect of such an investment on the risk of the portfolio using the information just obtained. To do so the manager must convert the data to a form that is compatible to both investment tools and then enter the information into the risk management investment tool for analysis)*

22. Claim 10:

Wherry et al. shown, discloses the following limitations:

- *performing a decided action in response to the key risk review (see at least page 7 paragraph 0061....alternatively, the user can launch the investment tool associated with that alert and review the data that resulted in the notification to be posted on the user interface)*
- *monitoring a status of the creditor (see at least page 3 paragraph 0017....such monitoring including the status of interactions between the investment manager*

and the various vendor provided investment tools that the manager employs to manage his or her portfolio)

23. Claim 11:

Wherry et al. shown, discloses the following limitations:

- *exposure review in response to the quantity of flagged triggers being greater than the predetermined number and a key risk review not being performed (see at least page 7 paragraph 0061....alternatively, the user can launch the investment tool associated with that alert and review the data that resulted in the notification to be posted on the user interface)*

24. Claim 12:

Wherry et al. shown, discloses the following limitations:

- *generating a series of inquiries (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)*
- *determining a quantity of triggers flagged based on responses to the series of inquiries for a selected creditor (see at least page 7 paragraph 0063....again, the user provides specific criteria determining when an alert will be generated and how the alert will be delivered)*
- *establishing an action plan in response to the quantity of flagged triggers being greater than a predetermined number (see at least page 7 paragraph 0067....the reporting process receives from the monitoring process the user established criteria that would trigger an alert. The values are compared and a determination is made if the trigger is exceeded)*

25. Claim 13:

Wherry et al. shown, discloses the following limitations:

- *each inquiry relates to one of a predetermined model related to the selected creditor, a market associated with the selected creditor, subjective criteria associated with the selected creditor, industry conditions, economic conditions, occurrence of an event affecting the selected creditor and a behavior of the selected creditor (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)*

26. Claim 14:

Wherry et al. shown, discloses the following limitations:

- *determining any change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)*
- *determining any change in a Moody's rating for the selected creditor by a predetermined number of grades (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)*
- *determining any change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)*
- *determining any change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period (see at least page 9 paragraph 0078....in situations where the manager wishes to*

monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *determining if the creditor has a broken or defective business model* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *determining if the creditor's industry is experiencing any downturn* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *determining any impact of any recent event on the creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *determining a nature or demeanor of the creditor's management* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

27. Claim 15:

Wherry et al. shown, discloses the following limitations:

- *conducting a key risk review in response to the creditor corresponding to a predetermined loss in the event of bankruptcy* (see at least page 1 paragraph 007....after gaining that information the manager may wish to examine the effect of such an investment on the risk of the portfolio using the information just obtained. To do so the manager must convert the data to a form that is compatible to both investment tools and then enter the information into the risk management investment tool for analysis)

28. Claim 16:

Wherry et al. shown, discloses the following limitations:

- *performing a decided action in response to the key risk review* (see at least page 1 paragraph 007....after gaining that information the manager may wish to examine the effect of such an investment on the risk of the portfolio using the information just obtained. To do so the manager must convert the data to a form that is compatible to both investment tools and then enter the information into the risk management investment tool for analysis)
- *monitoring a status of the creditor* (see at least page 3 paragraph 0017....such monitoring including the status of interactions between the investment manager and the various vendor provided investment tools that the manager employs to manage his or her portfolio)

29. Claim 17:

Wherry et al. shown, discloses the following limitations:

- *performing an exposure review in response to the quantity of flagged triggers being greater than the predetermined number and a key risk review not being performed* (see at least page 1 paragraph 007....after gaining that information the manager may wish to examine the effect of such an investment on the risk of the portfolio using the information just obtained. To do so the manager must convert the data to a form that is compatible to both investment tools and then enter the information into the risk management investment tool for analysis)

30. Claim 18:

Wherry et al. shown, discloses the following limitations:

- *taking no action in response to the quantity of flagged triggers being less than a predetermined number* (see at least page 7 paragraph 0067...at the same time the process receives data from the investment tool associated with the selected monitoring category and function. The values are compared and a determination

is made if the trigger is exceeded. If the trigger is not exceeded the process returns to the initial step and continues to compare the values as aforementioned)

31. Claim 19:

Wherry et al. shown, discloses the following limitations:

- *monitoring the selected creditor in response to the quantity of flagged triggers being greater than the predetermined number* (see at least page 3 paragraph 0017....such monitoring including the status of interactions between the investment manager and the various vendor provided investment tools that the manager employs to manage his or her portfolio)

32. Claim 20:

Wherry et al. shown, discloses the following limitations:

- *a processor* (see at least page 4 paragraph 0045....as a particular investment tool performs one of its functions and produces data useful to either the user or other investment tools, the data is transmitted to and received by a central processor)
- *least one trigger* (see at least page 7 paragraph 0067....the reporting process receives from the monitoring process the user established criteria that would trigger an alert)
- *credit action trigger program operable on the processor to generate a series of inquiries* (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)
- *determine a quantity of the at least one trigger being flagged based on responses to the series of inquiries for a selected creditor* (see at least page 7 paragraph 0063....again, the user provides specific criteria determining when an alert will be generated and how the alert will be delivered)

33. Claim 21:

Wherry et al. shown, discloses the following limitations:

- *inquiry including a predetermined model related to the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *inquiry related to a market of the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *inquiry including subjective criteria related to the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *inquiry related to industry conditions in which the selected creditor does business* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)
- *inquiry related to economic conditions* (see at least page 1 paragraph 007....after gaining that information the manager may wish to examine the effect of such an investment on the risk of the portfolio using the information just obtained. To do so the manager must convert the data to a form that is compatible to both investment tools and then enter the information into the risk management investment tool for analysis)

- *inquiry related to an impact of any events affecting the creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *inquiry related to a behavior of the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

34. Claim 22:

Wherry et al. shown, discloses the following limitations:

- *change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)
- *change in a Moody's rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)
- *change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)
- *change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular

security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *broken or defective business model* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *industry of the selected creditor is experiencing any downturn* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *determination of any impact of any recent event on the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *determination of a nature or demeanor of the selected creditor's management* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

35. Claim 23:

Wherry et al. shown, discloses the following limitations:

- *input device for a user to respond to the series of inquiries* (see at least page 4 paragraph 0042....each of the client computers also includes a display device, and one or more input devices)

36. Claim 24:

Wherry et al. shown, discloses the following limitations:

- *memory system to store the credit action trigger program and the inquiries* (see at least page 4 paragraph 0043....the external exponents contain data from an

outside source including a user, a user application program, and a browser. The infrastructure includes an export server, a web server, a request server, a schedule server, a package server and a monitoring server)

37. Claim 25:

Wherry et al. shown, discloses the following limitations:

- *output device to present the series of inquiries to a user (see at least page 4 paragraph 0042....each of the client computers also includes a display device, and one or more input devices)*

38. Claim 26:

Wherry et al. shown, discloses the following limitations:

- *least one other processor for users to access the credit action trigger program (see at least page 4 paragraph 0045....as a particular investment tool performs one of its functions and produces data useful to either the user or other investment tools, the data is transmitted to and received by a central processor)*

39. Claim 27:

Wherry et al. shown, discloses the following limitations:

- *browser operable on the at least one other processor to access the credit action trigger program (see at least page 4 paragraph 0042....the client computers each include one or more processors and one or more storage devices)*

40. Claim 28:

Wherry et al. shown, discloses the following limitations:

- *providing a processor (see at least page 4 paragraph 0045....as a particular investment tool performs one of its functions and produces data useful to either the user or other investment tools, the data is transmitted to and received by a central processor)*

- *providing at least one trigger (see at least page 7 paragraph 0067....the reporting process receives from the monitoring process the user established criteria that would trigger an alert)*
- *providing a credit action trigger program operable on the processor to generate a series of inquiries (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)*
- *determine a quantity of the at least one trigger being flagged based on responses to the series of inquiries for a selected creditor (see at least page 7 paragraph 0063....again, the user provides specific criteria determining when an alert will be generated and how the alert will be delivered)*

41. Claim 29:

Wherry et al. shown, discloses the following limitations:

- *inquiry including a predetermined model related to the selected creditor (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)*
- *inquiry related to a market of the selected creditor (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)*
- *inquiry including subjective criteria related to the selected creditor(see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)*

- *inquiry related to industry conditions in which the selected creditor does business* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)
- *inquiry related to economic conditions* (see at least page 1 paragraph 007....after gaining that information the manager may wish to examine the effect of such an investment on the risk of the portfolio using the information just obtained. To do so the manager must convert the data to a form that is compatible to both investment tools and then enter the information into the risk management investment tool for analysis)
- *inquiry related to an impact of any events affecting the creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *inquiry related to a behavior of the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

42. Claim 30:

Wherry et al. shown, discloses the following limitations:

- *providing means to determine any change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)
- *providing means to determine any change in a Moody's rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph

0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *providing means to determine any change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)
- *providing means to determine any change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *providing means to determine a broken or defective business model* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *providing means to determine if an industry of the selected creditor is experiencing any downturn* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)
- *providing means for determining any impact of any recent event on the selected creditor* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the

investment tools with the selected security's data being populated into the chosen analytical tool)

- *providing means for determining a nature or demeanor of the selected creditor's management* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

43. Claim 31:

Wherry et al. shown, discloses the following limitations:

- *providing an output device to present the series of inquiries to a user* (see at least page 4 paragraph 0042....each of the client computers also includes a display device, and one or more input devices)

44. Claim 32:

Wherry et al. shown, discloses the following limitations:

- *input device for a user to respond to the series of inquiries* (see at least page 4 paragraph 0042....each of the client computers also includes a display device, and one or more input devices)

45. Claim 33:

Wherry et al. shown, discloses the following limitations:

- *providing a memory system to store the credit action trigger program and the inquiries* (see at least page 4 paragraph 0045....as a particular investment tool performs one of its functions and produces data useful to either the user or other investment tools, the data is transmitted to and received by a central processor)

46. Claim 34:

Wherry et al. shown, discloses the following limitations:

- *generating a series of inquiries* (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)
- *determining a quantity of triggers flagged based on responses to the series of inquiries for a selected creditor* (see at least page 7 paragraph 0063....again, the user provides specific criteria determining when an alert will be generated and how the alert will be delivered)
- *establishing an action plan in response to the quantity of flagged triggers being greater than a predetermined number* (see at least page 7 paragraph 0067....the reporting process receives from the monitoring process the user established criteria that would trigger an alert. The values are compared and a determination is made if the trigger is exceeded)

47. Claim 35:

Wherry et al. shown, discloses the following limitations:

- *each inquiry relates to one of a predetermined model related to the selected creditor, a market associated with the selected creditor, subjective criteria associated with the selected creditor, industry conditions, economic conditions, occurrence of an event affecting the selected creditor and a behavior of the selected creditor* (see at least page 5 paragraph 0049....orders are processed by the batch server creating request for data. The request are forwarded to a request server which retrieves data from a holdings database)

48. Claim 36:

Wherry et al. shown, discloses the following limitations:

- *determining any change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades* (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific

stocks, the integrated system can provide a real-time summary of individually chosen securities)

- *determining any change in a Moody's rating for the selected creditor by a predetermined number of grades (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)*
- *determining any change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period (see at least page 9 paragraph 0078....in situations where the manager wishes to monitor specific stocks, the integrated system can provide a real-time summary of individually chosen securities)*
- *determining any change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)*
- *determining if the creditor has a broken or defective business model (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)*
- *determining if the creditor's industry is experiencing any downturn (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a*

particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

- *determining a nature or demeanor of the creditor's management* (see at least page 9 paragraph 0079....the stock watch interface also allows a user to select a particular security/creditor and launch any of the investment tools with the selected security's data being populated into the chosen analytical tool)

49. Claim 37:

Wherry et al. shown, discloses the following limitations:

- *taking no action in response to the quantity of flagged triggers being equal to the predetermined number* (see at least page 7 paragraph 0067...at the same time the process receives data from the investment tool associated with the selected monitoring category and function. The values are compared and a determination is made if the trigger is exceeded. If the trigger is not exceeded the process returns to the initial step and continues to compare the values as aforementioned)

50. Claim 38:

Wherry et al. shown, discloses the following limitations:

- *monitoring the selected creditor in response to the quantity of flagged triggers being equal to the predetermined number* (see at least page 3 paragraph 0017....such monitoring including the status of interactions between the investment manager and the various vendor provided investment tools that the manager employs to manage his or her portfolio)

FINAL CONCLUSION

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Michael D. Cranford** whose telephone number is **571-270-3106**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Thomas Dixon** can be reached at **571-272-6803**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents
P.O. Box 1450

Art Unit: 4143

Alexandria, VA 22313-1450

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark**

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/ Michael Cranford / Examiner / Art Unit 4143 /
December 13, 2008

/THOMAS A DIXON/
Supervisory Patent Examiner, Art Unit 3696